

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
December 8, 2011
COUNCIL CHAMBERS
6:30 p.m.**

CALL TO ORDER: Mayor Deborah A. Norkavage called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

MAYOR	DEBORAH A. NORKAVAGE	PRESENT
1 ST DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 ND DISTRICT	STEVEN BURG	PRESENT
3 RD DISTRICT	ROBERT KACPERSKI	PRESENT
4 TH DISTRICT	CHARLES MCKEWEN	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	EDWARD OLGA	PRESENT
Town Solicitor, Edward McNally – Present		
Town Manager, John Giles – Present		
Chief of Police, Laura Giles – Present		

PUBLIC COMMENT: None

APPROVAL OF MINUTES:

ACTION: A motion was made by Councilwoman Personti to approve the minutes of the November 10, 2011 Council Meeting with no corrections. The motion was seconded by Councilman Jaremchuk.

VOTE: 6-0 with 1 Abstained All-in-Favor Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – Yes, 6th District – Yes, Mayor – Abstained

AUDIT REPORT:

At this time the Audit Report was presented by Mr. Vince Barbone of Haggerty and Haggerty, P.A.

ACTION: A motion was made by Councilman Jaremchuk to accept the Audit Report as presented. The motion was seconded by Councilman Burg.

VOTE: 7-0 All-in-Favor Motion carried

OLD BUSINESS:

Consideration for third and final reading of Ordinance 543.

ACTION: A motion was made by Councilman Burg to consider Ordinance 543 for Third and Final reading. The motion was seconded by Councilman Jaremchuk.

VOTE: 7-0 All-in-Favor Motion carried

Discussion regarding the Board of Adjustment and its current membership

Councilwoman Personti stated that she was at the last Board of Adjustment meeting and the Board members who were present discussed the option regarding Chairman Chalfant and his absences due to a personal conflict and possible changing the dates of the meetings temporarily to accommodate him. During their discussion it was stated that it was advised that Chalfant was not available any night.

Town Manager John Giles stated that this was incorrect, Chairman Chalfant would be available for the regular meetings again in January and that the November meeting would be his last absence. The Board currently does not meet in December and Chairman Chalfant does intend to be at the next meeting.

Councilwoman Personti stated that the Board has stated that if Chairman Chalfant is absent again in January that the Board will revisit his absence. She stated that the Board should have all members present to help in the event of a tie to prevent a two-to-two vote.

NEW BUSINESS:

None

DEPARTMENTAL REPORTS:

Code Enforcement

Town Manager John Giles presented the written report.

Councilman Burg asked what the status of the two community sweeps was.

Town Manager John Giles stated that all citations and fees have been paid by Fenwick Apartments with the exception of some roofing issues which are scheduled for repair but are taking longer than anticipated. In Silverbrook Gardens all citations and fines have been paid or complied with.

Councilman Burg asked if he could see a list indicating repeat offenders for citations and how they would be tracked at the January meeting.

Town Manager Giles stated that he would get it to him as soon as possible but may not be in time for the January Council Meeting.

Councilman Burg discussed properties with delinquent taxes and why businesses within the Town owe \$4,500.00 in delinquent taxes.

Town Manager Giles stated that this is one of the issues that are being dealt with in the Code Enforcement Department.

Councilman Burg asked if during the next budget if the Council approves a withdraw from the contingency account, could it be transferred out on July 1 instead of waiting further into the year to make the transfer so that the account reflects the appropriate number throughout the year.

Town Manager Giles stated that it would be done and that the current approved withdraw will be taken before the next report is presented in January.

Councilman Jaremchuk asked if the Town Manager could draft an Ordinance for the January Council Meeting to rescind the First Time Homebuyers exemption. He stated that looking at the numbers for the exemptions issued in the past year the Town cannot afford to do this any longer.

Councilman Burg and Councilwoman Personti requested to be co-sponsors because they co-sponsored the original ordinance.

At this time multiple conversations were occurring and the tape was inaudible.

Mayor Norkavage asked if the Laundromat has caused any parking issues since it has opened.

Chief Laura Giles stated that she has not received any complaints regarding parking.

Councilwoman Personti asked if the removal of the no right turn onto Leech Avenue has helped alleviate the traffic from the All Saints School.

Councilwoman Personti stated that there is an additional issue with people cutting through the Town Hall parking lot and speeding through.

Town Manager John Giles stated that he has noticed this and has a thought to use some of the Municipal Street Aid funds to move the entrance to the parking lot further down Poplar Avenue, however, the bus company has decided to move the bus stop from the corner of Poplar Avenue and Olga Road to the steps of Town Hall.

Councilman Kacperski asked if the Police Department has received any complaints regarding no crossing guards at Wawa until almost 8:00am.

Chief Laura Giles stated that there have not been any.

Councilman Kacperski stated that he has seen children walking around 7:30am and there not being a crossing guard.

Town Manager John Giles stated that the State of Delaware is removing the “pickles” state-wide and that the guards should press the pedestrian crossing buttons and then cross the children.

Finance

Town Manager John Giles presented the written report.

Mayor Norkavage asked if the Finance Department has any software that sends a reminder when normal monthly bills are unpaid.

Finance Director, Joseph Schulcz stated that there is a mailbox for electronic billing; however there are no reminders for these because there are so many regular monthly bills.

Town Manager John Giles stated that he submitted a report of all delinquent taxes as of December 8, 2011. In addition there is a list of properties that are delinquent that the Town will be requesting to be sent to sheriff’s sale. The general rule will be that any property owing 3 years of delinquent taxes or longer will be forwarded for sheriff’s sale.

Councilwoman Personti asked if there was something on the books where if they owe delinquent taxes that the Town can revoke the rental permits.

Town Manager John Giles stated that yes that ordinance is in effect and that the Town is pursuing those options.

ACTION: A motion was made by Councilman Jaremchuk to forward the submitted list of delinquent properties to the Town Solicitor for sheriff’s sale. The motion was seconded by Councilman McKewen.

VOTE: 7-0 All-in-Favor Motion carried

Town Manager John Giles asked if the Council would like to see this report annually or if Council would like the Town to just act on properties owing three years or more.

Councilwoman Personti stated that she feels that the Council should approve the lists but that the timeline should be at the discretion of the council based on the situation. The Town should not let it be known that the property is safe until you are delinquent 3 years.

Public Safety

Chief Laura Giles presented the written report. She stated that there was a departmental meeting and that the Officers assigned to districts have been restructured.

Public Works

Town Manager John Giles presented the written report. He stated that there is a new report for the street sweeper and which districts it was in on which days and the amounts removed.

Crew Chief Mark Marconi stated that the street sweeper is out every day weather permitting.

Town Manager

Town Manager John Giles presented the written report and described the training that was attended regarding running an emergency operations center.

At this time a discussion occurred regarding the condition of the property know as 2 Elsmere Blvd. Town Manager Giles presented three proposals submitted by business with a cost to do so. He discussed the conversations which occurred with the property owner, his attorney, the mortgage company, and the Town Solicitor. Town Manager Giles asked Mayor and Council to select which bid to accept and award the contract to demolish the dangerous structure.

Councilman Jaremchuk asked if Swift Demolition and Recycling would cause a conflict of interest within the Code Enforcement Department.

Town Manager John Giles stated that he has checked and that there is no relation or conflict of interest.

ACTION: A motion was made by Councilman Jaremchuk to award the contract for the demolition of 2 Elsmere Blvd to Swift Demolition in the amount of \$32,000.00. The motion was seconded by Councilman Burg.

VOTE: 7-0 All-in-Favor Motion carried

Town Manager John Giles presented information regarding a Sanitation Pilot Program which is offered by Waste Management where they will provide 200 Plastic Trash Containers. We would give those 200 cans to properties in problem locations. They would then monitor those containers over the next 4 months, no prohibited items, no excess garbage or injury obtained during collection. If this program is successful they will work with the Town to provide every resident with a container as part of the Sanitation collection. He stated that each council person would select 33 houses in their districts preferably continuously to monitor. He stated that he will be sending out additional information in January to submit the houses to begin the program.

Ms. Diana Poole presented the schedule for Holiday Tree Lighting Ceremony on December 9, 2011. In addition each council member will receive a bag with Candy Canes and Best Decorated House Contest Flyers to hand out for the Parade on Sunday, December 11, 2011.

Councilwoman Personti asked if we have considered using the Movie Equipment at this event.

Town Manager John Giles stated that it would be considered for future events but is too short notice to accomplish in time for the next event.

Mayor Norkavage asked if there would be anywhere for Council to park during the event.

Ms. Poole stated that the remainder of the front parking lot will be available in addition the entire Library Parking Lot will be available.

Town Manager Giles outlined the Best Decorated House Contest, the districts will be chosen on December 19, 2011 and the Town Wide Selection will be selected on December 21, 2011 by the Mayor. The holiday luncheon will be on Friday, December 23, 2011 at 11:00am at Town Hall, please stop up for lunch. There is a meeting coming up with the State of Delaware regarding funding for the Dog Park. He stated that Mrs. Szczerba is the Grand Marshall of the Town Holiday Parade.

He announced that the Public Works department will be conducting some preventative maintenance on the benches at Wawa and they will be removed for a period for that maintenance.

ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:

PUBLIC COMMENT:

ADJOURNMENT:

ACTION: A motion was made by Councilwoman Personti to Adjourn. The motion was seconded by Councilman Burg.

VOTE: 7-0 All-in-Favor Motion carried

These minutes summarize agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tapes may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

DEBORAH A. NORKAVAGE
MAYOR

JOANN I. PERSONTI
SECRETARY